

VITAMIN, MINERAL, AND OTHER PRODUCTS OF SPECIAL DIETARY SIGNIFICANCE*

28291. Cernelle Pollitabs. (F.D.C. No. 44999. S. No. 45-762 R.)

QUANTITY: 2,000 100-tablet btls. at Maitland, Fla., in possession of Poll-N-Co., Inc.

SHIPPED: 8-9-60, from Vegeholm, Sweden.

LABEL IN PART: (Btl.) "Cernelle Pollitabs A special dietary supplement containing a natural source of vitamin B-12 * * * Each tablet contains: 50 mgm Cernelle-Pollen 20 mgm Cernitin (Extract of pollen), Each tablet supplies 2 micrograms of vitamin B₁₂. * * * Distributed by, Poll-N-Co., Inc., Maitland, Florida Made and packaged in SWEDEN by AB Cernelle, Vegeholm, Sweden."

ACCOMPANYING LABELING: Pamphlets entitled "Pollitabs" and "The Wonders of Pollen."

RESULTS OF INVESTIGATION: The accompanying labeling was prepared on behalf of Poll-N-Co., Inc.

LIBELED: 10-6-60, S. Dist. Fla.

CHARGE: 403(a)—while held for sale, the labeling of the article contained false and misleading representations that the article contained a significant amount of proteins, amino acids, vitamins generally, enzymes, coenzymes, minerals, carbohydrates, lipoids, pigments, flavenoids, carotenoids, flavin, cytochrome, globin, lecithin and trace elements, and other substances, for special dietary use; that the article was more nutritious than raw liver on a weight for weight basis; that pollen was a potent food substance; that pollen was the richest, most potent plant source of vitamin B₁₂, and as a natural source of vitamin B₁₂ it was superior to and more effective than vitamin B₁₂ synthetically produced.

The libel alleged also that the article was misbranded under the provisions of the law applicable to drugs as reported in notices of judgment on drugs and devices, No. 6771.

DISPOSITION: On or about 10-25-60, Poll-N-Co., Inc., filed a claim to the article and an answer to the libel. The claimant and the government filed written interrogatories which were answered in part and objected to in part by both parties.

On 11-6-61, a consent decree providing for the condemnation and destruction of the article was filed.

28292. Family Plan Vitafood supplement tablets. (F.D.C. No. 46449. S. No. 2-181 T.)

QUANTITY: 212 boxes, each containing 6 60-tablet btls., at Chamblee, Ga.

SHIPPED: Between 3-8-61 and 3-28-61, from Fort Worth, Tex., by Mace Laboratories, Subsidiary of T. A. Rawson, Inc.

LABEL IN PART: (Btl.) "Family Plan Vitafood Supplement Vitamin Factors * * * Mineral Factors * * * Manufactured for Mace Laboratories * * * Fort Worth, Tex."

LIBELED: 9-12-61, N. Dist. Ga.

*See also No. 28209.

CHARGE: 403(j)—when shipped, the article purported to be and was represented as a food for special dietary uses and its label failed to bear, as required by regulations, a statement of the proportion of the minimum daily requirement for vitamins A, B₁, D, riboflavin, niacinamide, and ascorbic acid, and minerals, calcium, phosphorus, and iron supplied by such food when consumed in a specified quantity during a period of one day, and the statement "The need for calcium pantothenate, zinc, and manganese in human nutrition has not been established."

The libel alleged also that the article was misbranded under the provisions of the law relating to drugs as reported in notices of judgment on drugs and devices, No. 6774.

DISPOSITION: 10-23-61. Default—destruction.

28293. Protein supplement. (F.D.C. No. 45949. S. No. 53-728 R.)

QUANTITY: 82 365-tablet btls., and 2 drums containing a total of 32,500 tablets, at Minneapolis, Minn., in possession of Nu-Age Corp.

SHIPPED: 11-4-60, from St. Louis, Mo.

LABEL IN PART: (Drum) "S. C. Green w/Mint Flavor" and (btl.) "Formula 13 Protein Supplement * * * Nu-Age, Box 5816, Minneapolis 19, Minn. 6287."

ACCOMPANYING LABELING: Additional bottle labels.

RESULTS OF INVESTIGATION: The tablets were shipped in bulk and bottled and labeled by the dealer.

LIBELED: 6-19-61, Dist. Minn.

CHARGE: 403(a)—while held for sale, the label contained false and misleading representations that the article supplied a significant amount of protein for special dietary supplementation.

The libel alleged also that the article was misbranded under the provisions of the Act relating to drugs as reported in notices of judgment on drugs and devices, No. 6770.

DISPOSITION: 7-31-61. Default—destruction.

28294. All-In-One capsules. (F.D.C. No. 44558. S. No. 28-918 R.)

QUANTITY: 5 cases of 72 80-capsule ctns., and 3 cases of 36 160-capsule ctns., at St. Paul, Minn.

SHIPPED: 2-2-60, from West Hempstead, N.Y., by John H. Mathis, Inc.

LABEL IN PART: (Ctn.) "All-In-One Capsules A Dietary Supplement * * * Each capsule contains * * * Packed for and Distributed by State Pharmacal Co., Chicago 1, Ill."

ACCOMPANYING LABELING: Leaflet entitled "The Story of All-In-One Capsules."

LIBELED: 5-2-60, Dist. Minn.

CHARGE: 403(a)—when shipped, the name of the article "All-In-One Capsules" and the accompanying labeling were false and misleading in representing that the article contained all nutrients required in human nutrition and in significant amounts; and (labeling only) that the article would supply significant amounts of protein material to its consumer; and that it was a blend of dietary supplements which were essential in good health; 403(a)—the label statement "The need for * * * niacinamide and pyridoxine in human nutrition has not yet been established" was false and misleading since the need for such substances in human nutrition had been established; 403(a)—the label